

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CASE NO. 2:13-cr-008
	:	
v.	:	JUDGE SARGUS
	:	
GREGORY R. KNEICE,	:	
	:	
Defendant.	:	

DEFENDANT'S MOTION FOR EXTENSION OF TIME TO REPORT TO PRISON

Defendant, Gregory R. Kneice, respectfully moves this Court for an order permitting Defendant to report to the Bureau of Prisons on or after August 15, 2013. The attached memorandum contains reasons in support of this motion.

Respectfully submitted,

/s/ Kort Gatterdam
Kort Gatterdam (0040434)
CARPENTER LIPPS & LELAND LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
Telephone: (614) 365-4100
Facsimile: (614) 365-9145
E-mail: gatterdam@carpenterlipps.com

/s/ Thomas F. Hayes
Thomas F. Hayes (0062526)
Law Office of Thomas F. Hayes, LLC
65 East Livingston Avenue
Columbus, Ohio 43215
Telephone: (614) 224-4444
Facsimile: (866) 750-2417
E-mail: THayes@ThomasFHayes.com

COUNSEL FOR DEFENDANT

MEMORANDUM IN SUPPORT

On January 11, 2013, the U.S. Attorney filed an Information charging Kneice with conspiracy to distribute oxycodone, a Schedule II controlled substance. (R.1, Information). Pursuant to a plea agreement also filed January 11, 2013 (R.2, Plea Agreement), on January 31, 2013, Kneice pled guilty to the Information. (R.11, Minute Entry). On June 4, 2013, this Court sentenced Kneice to 45 months of incarceration and 3 years of supervised release that includes a term of 4 months at the Alvis House, followed by 6 months of home confinement. (R.21, Minute Entry; R.22, Judgment Entry). This Court also ordered Kneice to self-surrender at the institution designated by the Bureau of Prisons.

Kneice was recently informed from the United States Marshal that he is report to FCI Morgantown on July 5, 2013. Kneice now respectfully requests an extension of time in which to report to the Bureau of Prisons for the following reason. On June 25, 2013, Kneice's mother Ann was admitted to the emergency room. It was determined that she is suffering from stage 3 cancer, most likely ovarian cancer. She has multiple tumors throughout her body. There is a concern that the cancer may have spread to other areas of the body including the stomach lining, kidneys and colon. She is scheduled for a colonoscopy tomorrow. She was scheduled for a hysterectomy next week to be followed by chemotherapy but this is unclear because her doctors have been unable to positively identify the origin of the cancer.

Ms. Kneice's primary physician for the ovarian cancer is Dr. Luis Vaccarello, who works at the Zangmeister Center and performs surgery at Mt. Carmel East. However, Ms. Kneice is presently at St. Ann's Hospital with doctors who are performing additional tests to determine the best course of treatment.

As this Court may be aware from Kneice's Sentencing Memorandum and the letter attached from Ms. Kneice, Greg is very close to his mother. He lost his father four years ago. He is the only immediate family member who does not have children and it is expected that his mother will need constant help in the initial stages of her treatment. Kneice realizes he has committed a crime and quite frankly, before Tuesday, was ready to begin serving his sentence so he could move forward with his life. However, he cannot bear the thought of leaving his mother to go through this without him close by.

Optimally, Kneice would know how much time the initial course of treatment will be and request a one time extension of his report date. However, because the doctors are still completing testing, it is unclear what the course of treatment will be and when it will begin. Due to the fact the Kneice is scheduled to report on July 5, 2013, he could not wait any longer to make this request. His request of 45 days is based on his belief at this moment that these initial steps for her treatment will run over the next month or so. Kneice appreciates the Court even considering his request and would not burden the Court with this if it were not a very important request.

From the beginning of this case, Kneice has been cooperative with the Government and this Court. Kneice has not had any issues while under pretrial supervision, and is not a flight risk. The Government has been informed of this matter and does not oppose Kneice's request.

For all the foregoing reasons, Defendant, Gregory Kneice asks this Court to extend the time of his report date from July 5, 2013, to a date on or after August 15, 2013.

Respectfully submitted,

/s/ Kort Gatterdam
Kort Gatterdam (0040434)
CARPENTER LIPPS & LELAND LLP
280 Plaza, Suite 1300
280 North High Street
Columbus, Ohio 43215
Telephone: (614) 365-4100
Facsimile: (614) 365-9145
E-mail: gatterdam@carpenterlipps.com

/s/ Thomas F. Hayes
Thomas F. Hayes (0062526)
Law Office of Thomas F. Hayes, LLC
65 East Livingston Avenue
Columbus, Ohio 43215
Telephone: (614) 224-4444
Facsimile: (866) 750-2417
E-mail: THayes@ThomasFHayes.com

COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 27, 2013, he electronically filed the foregoing Motion for Extension of Time to Report to Prison with the Clerk of Court using the CM/ECF system, which will send notification of such filing to Kenneth F. Affeldt, Assistant United States Attorney, Counsel for Plaintiff.

/s/ Kort Gatterdam
Kort Gatterdam

050-490-357153